

JUDGE HOLWELL

08 CIV 42757

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
VLADIMIR GOLOVANOV,

Plaintiff,

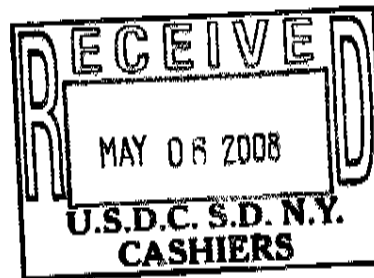
- against -

**MICHAEL CHERTOFF, Secretary,
Department of Homeland Security;
EMILIO T. GONZALEZ, Director of U.S.
Citizenship and Immigration Services;
ROBERT S. MUELLER III, Director of
Federal Bureau of Investigation
ANDREA J. QUARANTILLO, Director,
New York City District, U.S. Citizenship
and Immigration Service
MICHAEL MUKASEY, U.S. Attorney
General of the United States of America**

Defendants.

Index No:

**COMPLAINT FOR WRIT IN
THE NATURE OF MANDAMUS**



-----X
Plaintiff, Vladimir Golovanov, by his attorneys, Law Offices of Tsirina Goroshit & Associates, P.C., in the above-captioned matter, and hereby upon information and belief alleges as follows:

1. This action is brought against the Defendants to compel action on the clearly delayed processing of an I-485 Application filed by the Plaintiff, Vladimir Golovanov. The application was filed and remains within the jurisdiction of the Defendants, who have improperly handled and delayed processing the application to Plaintiff detriment.

PARTIES

2. Plaintiff, Vladimir Golovanov, resides at 170 East 88 Street, Apt.6C, New York, NY, 10128 alien number 95521158, is the applicant of an I-485, Application to Register Permanent Resident or Adjustment of Status, filed with the USCIS on February 13, 2002.
3. Defendant Michael Chertoff is the Secretary of the Department of Homeland Security, and this action is brought against him in his official capacity. He is generally charged with

enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department of Homeland Security. 8 USC § 1103(a). More specifically, the Secretary of the Department of Homeland Security is responsible for the adjudication of applications for nonimmigrant visas filed pursuant to the Immigration and Nationality Act (INA). The U.S. Citizenship & Immigration Services is an agency within the Department of Homeland Security to whom the Secretary of the Department of Homeland Security's authority has in part been delegated, and is subject to the Secretary of the Department of Homeland Security's supervision.

4. Defendant Dr. Emilio T. Gonzalez is the Director of the U.S. Citizenship & Immigration Services (USCIS) and an official generally charged with supervisory authority over all operations of the USCIS with certain specific exceptions not relevant here. 8 CFR § 103.1(g)(2)(ii)(B).
5. Defendant Robert S. Mueller, III, Director of Federal Bureau of Investigations (FBI), the law enforcement agency that conducts security clearances for other U.S. government agencies, such as the Department of State. As will be shown, Defendant has failed to complete the security clearances of Plaintiff's case.
6. Defendant Andrea J. Quarantillo, District Director, is an official of U.S. Citizenship & Immigration Services (USCIS) generally charged with authority over operation of the USCIS within her District with certain specific exceptions not relevant here. 8 CFR § 103.1(g)(2)(ii)(B). Defendant District Director is an official with whom Plaintiff's application to Register Permanent Residence of Adjustment of Status was properly filed.
7. Defendant, Michael Mukasey, is the Attorney General of the United States, he is charged with controlling determination of all issues of law pertaining immigration and with representing the United States of America in various legal matters. Specifically, the Attorney General is responsible for the adjudication of application for adjustment of status filled pursuant to §245 of INA, 8 USC § 1255.

JURISDICTION

8. Jurisdiction in this case is proper under 28 USC §§ 1331 and 1361, APA 5 USC § 555(b), 5 USC §701 et seq., §702, 5 USC §§ 706 (1) and 28 USC §2201 et seq. Relief is requested pursuant to said statutes.

VENUE

9. Venue is proper in this Court, pursuant to 28 USC §§ 1391 (e), in that this is an action against officers and agencies of the United States in their capacity, brought in the District where Plaintiff resides.

EXHAUSTION OF REMEDIES

10. The Plaintiff has exhausted his administrative remedies. The Plaintiff has supplied the USCIS documents that clearly establish his eligibility to Register Permanent Resident or Adjust Status.

CAUSE OF ACTION

11. The Plaintiff properly filed a Family based application I-485, Application to Register Permanent Resident or Adjust Status. **Enclosed as an Exhibit A** a copy of USINS receipt.
12. This petition along with an I-130 and supporting documentation was filed by the plaintiff through his attorney on or about February 13, 2002. Fingerprints were submitted to USCIS twice. First time on or about December 30, 2003 and a second time on or about June 7, 2005. The Plaintiff was interviewed twice at New York District Office located in New York, NY. On February 2, 2004 and on March 15, 2006 and was informed that USCIS had not completed his background checks and therefore, was unable to approve the petition. Enclosed as **Exhibit B** are interview appointments documents from the USCIS.
13. Since April 2004, Plaintiff has been contacting USCIS about the case status at least once a month to figure out why the processing of the case has been delayed and has received no definitive responses or relief and made numerous specific requests with USCIS New York District Office. Since April 2004, approximately, once per month, Plaintiff appeared before the USCIS New York District Office in order to inquire information about the status of his case, and was told that the USCIS still had not completed his background check and does not know when it will be completed.
14. Plaintiff engaged law office of Magier & Savrin to write follow up letters to USCIS pertaining his delayed Adjustment of status pending security name checks evidenced by letters dated April 9, 2004, January 21, 2005, April 5, 2005, September 7, 2005, June 7, 2007 and July 9, 2007. USCIS did not respond to these letters. Enclosed hereto as an **Exhibit C**.
15. Since September 2004, Plaintiff requested Congressional Assistance from the office of Hillary Rodham Clinton, from Charles E. Schumer, and from Congresswoman Maloney, but the only answer that was received from USCIS is that USCIS is unable to decide on this case due to pending security checks. Enclosed hereto letters and responses as an **Exhibit D**.
16. The defendants have failed to properly adjudicate this petition. They have failed to adhere to their own regulation (see 8 U.S.C. § 1255(b); 8 C.F.R. § 103.2 (19); 8. C.F.R. § 245(a)(5)) and have improperly delayed the processing of the Plaintiff's I-485 Application after the

Plaintiff had submitted a properly executed application. It has been **75 months** since Plaintiff has filed his I-485.

17. Under the recent USCIS Memorandum, dated February 4, 2008 "Where the application is otherwise approvable and the FBI name checks request has been pending for more than 180 days, the adjudicator **shall approve** the I-485, I-601, I-687, or I-698 and proceed with card issuance. (Emphasis added). Enclosed hereto as an **Exhibit "E"**. Moreover, USCIS news release dated April 2, 2008, states as follows: "The FBI has already eliminated all name check cases pending more than four years". Plaintiff is waiting for six years and three months. Enclosed a copy of news release as an **Exhibit "F"**.
18. Defendants have sufficient information to determine Plaintiff's eligibility pursuant to applicable requirements and complete the processing procedure. The Defendants actions in adjudicating the Plaintiff's case have clearly gone beyond the expected processing time. Plaintiff's application for adjustment of status remained not adjudicated for a period of 6 years and 3 months substantially beyond all applicable processing times and delays.
19. Defendants delay in this case is, as matter of law, arbitrary and not according with law. Defendants willfully, and unreasonably, have inappropriately refused to adjudicate the petition, thereby depriving him of the rights to which the Plaintiff is entitled.
20. The Plaintiff has been greatly damaged by the failure of Defendants to act in accord with their duties under the law.
 - (a) Specifically, Plaintiff Vladimir Golovanov has been unable to obtain legal permanent residence, travel, work and study without restriction and accrue time to be eligible for Naturalization as a citizen of the United States.
 - (b) Plaintiff Vladimir Golovanov, holds a Ph.D in Physics, he is employed as a Senior Vice President in RBS Greenwich Capital Markets, Inc., and is a father of two baby girls, underwent a great stress during six years of his process of adjustment due to a constant attempts to obtain information regarding his case status, contacting Congress representatives, and currently, after a birth of his baby girl, must spend time with his infants, therefore, making it more difficult to revisit New York District Office and contacting USCIS for the status updates.
 - (c) Plaintiff has been damaged in his ability to work and travel, because his employment authorization and ability to travel are tied to his status as an applicant for permanent residency and is limited to increments not to exceed one year. Therefore, Plaintiff has been forced to apply and pay for work permit and travel documents 6 times.
21. Defendants, in violation of the Administrative Procedures Act, 5 USC §701 et seq., § 706(1) are unlawfully withholding action on the Plaintiff's application and have failed to

carry out the adjudicative functions delegated to them by law with regards to the Plaintiff's case. Defendants are administrative agencies subject to 5 U.S.C § 555(b), thus defendants have a legal duty to complete security checks and adjudicate application for adjustment of status within a reasonable time.

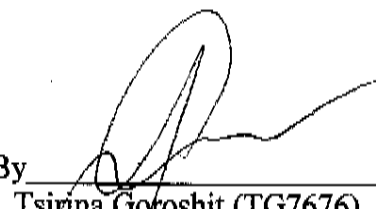
22. Plaintiff has provided sufficient evidence of his attempt to secure adjudication of this application at issue, all to no avail. Accordingly, the Plaintiff has been forced to pursue the instant action.

PRAYER

23. WHEREFORE, in view of the arguments and authority noted herein, the Plaintiff respectfully prays that the Defendants be cited to appear herein and that, upon due consideration, the Court enter an order:

- (a) requiring Defendants to properly adjudicate Plaintiff's application for an adjustment of status;
- (b) requiring Defendants to provide the Plaintiff with a Notice of Approval;
- (c) awarding Plaintiff reasonable attorney's fees under the Equal Access to Justice Act 5 USC 504.
- (d) granting such other relief at law and in equity as justice may require.

Dated: May 5, 2008
New York, NY

By 
Tsirina Goroshit (TG7676)
Attorney for the Plaintiff
Law Offices of Tsirina Goroshit &
Associates, P.C
275 Madison Ave, 4th Floor
New York, NY 10016
Tel (347)249-1311
lawmakesdifference@hotmail.com

A

U.S. I.N.S.
FEE RECEIPT
A CENTURY OF SERVICE

102/13/02 N.Y.C.

0*4	
GOLDVANDU	
I 130	\$ 110.00
I 765	\$ 100.00
FR PRINT	\$ 25.00
I 485	\$ 220.00
SUBTTL	455.00
TILANT	455.00
BE	455.00
CHANGE	0.00

1 ITEMS

0023006 10:13

B



U. S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

PRESENT THIS LETTER AT THE WORTH STREET ENTRANCE

Vladimir GOLOVANOV

File Number: A95521158

345 East 80th Street, Apt. 19B

Date: 06/20/2003

New York, NY 10021

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	26 FEDERAL PLAZA NEW YORK, NY 10278	Room No. 8-800	Floor No. 8TH
DATE AND HOUR		02/02/2004	7:45:00 AM
ASK FOR	IMMIGRATION EXAMINER		
REASON FOR APPOINTMENT	ADJUSTMENT OF STATUS		
BRING WITH YOU	SEE ATTACHMENTS		

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU. IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:	
SIGNATURE	DATE

Attorney Name: Magler & Savrin

Very truly yours,

Attorney Address: 460 Seventh Avenue, Suite 2407

New York, NY 10123-

*Fingerprint appointment forward to applicant:

Mary Ann Gantner
Interim Director
New York District



**U. S. Department of Homeland Security
Bureau of Citizenship and Immigration Services**

PRESENT THIS LETTER AT THE WORTH STREET ENTRANCE

Vladimir GOLOVANOV

File Number: A95521158

170 East 88th Street, Apt 6C

Date: 1/11/2006

New York, NY 10028

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	26 FEDERAL PLAZA NEW YORK, NY 10278	Room No. 8-800	Floor No. 8TH
DATE AND HOUR	3/15/2006 10:30:00 AM		
ASK FOR	IMMIGRATION EXAMINER		
REASON FOR APPOINTMENT	ADJUSTMENT OF STATUS (NOTE: This notice does not represent a decision on motions in any related matters or prior decisions.)		
BRING WITH YOU	SEE ATTACHMENTS		

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU. IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:	
SIGNATURE	DATE

Attorney Name: Magier & Savrin Esq
Attorney Address: 450 Seventh Ave Ste 2407
New York, NY 10123-

Very truly yours,

Mary Ann Gantner
District Director - CIS
New York District



**U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services**

Fingerprint Notification

Vladimir GOLOVANOV
345 East 80th Street, Apt. 19B
New York, NY 10021

Date: 06/20/2003
A Number: A85521158
DOB: 10/20/1971

Dear Applicant:

To continue processing your (please circle one of the followings: 1-485, _____) application, INS must send your fingerprints to the Federal Bureau of Investigation. If you were between the ages of 14 and 75 at the time of filing, you must have your fingerprints taken at an INS Application Support Center (ASC). You have been scheduled to be fingerprinted at the location listed below:

<u>Address</u>	<u>Hours of Operation</u>	
US Immigration & Naturalization Service	Saturday & Sunday	Closed
201 Varick Street - 10 Floor	Monday - Friday	8 am - 4 pm
New York, NY 10014	Also Closed On Federal Holidays	

Corner of Varick Street and Houston Street.
Subway: Take the B, D, Q, E or F to West 4 Street, then walk about 3 blocks. Take the Number 1 or 9 to Houston Street Station

You are scheduled to be fingerprinted at the address above

on 12/26/2003 at 8:00 AM

When you go to have your fingerprints taken, you must bring:

- 1) This Letter; and
- 2) Your Alien Registration Card (ARC). If you do not have your ARC, you must bring alternative photo identification such as passport, valid driver's license, national ID, State-issued photo ID, or other INS-issued photo ID.

Please be reminded that you must bring this letter and proper photo identification mentioned above to have your fingerprints taken, without them the INS ASC will not take your fingerprints. This will delay in the processing of your application.

If you can not go to the INS ASC on your scheduled day, you must request another appointment in writing to the address listed above within 7 days after you have received this letter. You must have your fingerprints taken within 87 days from the date on the upper right hand corner of this notice. If you do not have your fingerprints taken within that period, your application or petition may be considered abandoned and denied. Please do not appear before your scheduled date

Sincerely,

Mary Ann Gattner
Interim Director
New York District



U.S. Department of Justice
Immigration and Naturalization Service

Fingerprint Notification

Date: MAY 21, 2005

A Number: A095531158

DOB: 10/20/1971

SEYMOUR MAGIER
450 SEVENTH AVE, STE. 2407
NEW YORK, NY 10123
CC: WADIMIR GLOVANOV

Dear Applicant:

To continue processing your (please circle one of the followings: 1-246, 1-485, 1-589, 1-589) application, INS must send your fingerprints to the Federal Bureau of Investigation. If you were between the ages of 14 and 75 at the time of filing, you must have your fingerprints taken at an INS Application Support Center (ASC). You have been scheduled to be fingerprinted at the location listed below:

Address

US Immigration & Naturalization Service
201 Varick Street - 10th Floor
New York, NY 10014

Hours of Operation

Saturday & Sunday

Closed

Monday - Friday

8am-4pm

Also Closed On Federal Holidays

You are scheduled to be fingerprinted at the address above on JUNE 7, 2005 at 8:00 AM

When you go to have your fingerprints taken, you must bring:

- 1) This Letter
- 2) Your Alien Registration Card (ARC). If you do not have your ARC, you must bring alternative photo identification such as passport, valid driver's license, national ID, State-issued photo ID, or other INS-issued photo ID.

Please be reminded that you must bring this letter and proper photo identification mentioned above to have your fingerprints taken, without them the INS ASC will not take your fingerprints. This will delay in the processing of your application.

If you can not go to the INS ASC on your scheduled day, you must request another appointment in writing to the address listed above within 7 days after you have received this letter. You must have your fingerprints taken within 87 days from the date on the upper right hand corner of this notice. If you do not have your fingerprints taken within that period, your application or petition may be considered abandoned and denied.

BIOMETRICS PROCESSING STAMP

ASC SITE CODE: XNK

BIOMETRICS QA REVIEW BY:

N.Y.C. - XNK

201 VARICK STREET - 10 FL
N.Y., NY 10014

Corner of Varick Street and Houston Street

Subway: Take the B, D, Q, E, or F train to W 4 Street, then walk about three blocks. Take the number 1 or 9 train to Houston Street Station.

MONDAY - FRIDAY
8:00 AM - 4:00 PM

ON
FINGERPRINTS QA REVIEW BY:

157497 ON 06/07/2005

C

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
symag@aol.com - jasavrin@aol.com

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

April 9, 2004

By Hand

US Citizenship and Immigration Services
26 Federal Plaza, 8th Floor
New York, NY 10278
ATTN: Officer Lisa Dore

RE: **GOLOVANOV, Vladimir**
A# 95 521 158

*Magier
to Bureau
6/8/04
(Pm)*

Dear Sir or Madam:

Please be advised that the above mentioned was interviewed in your office by Officer Dore on February 2, 2004 as per attached notice.

On that day, the applicant was told to wait for clearances. It has been more than two months and there has been no response.

Kindly locate file and advise me of the status of this case.

Thank you.

Very truly yours,

SEYMOUR MAGIER

WDs
v.1003
1003

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
IANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

January 21, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: APPLICATION FOR ADJUSTMENT OF STATUS
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

MAGIER & SAVRIN
ATTORNEYS AT LAW

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

FILE COPY

April 5, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: APPLICATION FOR ADJUSTMENT OF STATUS
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

RECEIVED SVC
US INS & NAT
2005 APR 28 AM 9:31
SECTION 245
NEW YORK

MAGIER & SAVRIN
ATTORNEYS AT LAW

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 987-0867

FILE COPY

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

September 7, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: **APPLICATION FOR ADJUSTMENT OF STATUS**
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
symag1115@yahoo.com
jasavrin@gmail.com

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

June 7, 2007

U.S. Citizenship and Immigration Services
26 Federal Plaza,
Section 245, Floor No. 8
New York, NY 10278
Attention: DAO Wanton

Re: **I-485 Application for Adjustment of Status**
Mr. Vladimir GOLOVANOV – A# 95 521 158

Dear DAO Wanton:

Please be advised that Mr. Golovanov was interviewed by you on March 15, 2006 as per the attached notice. On that day, Mr. Golovanov's name clearance was not back.

It has been more than two months and we have not received any correspondence from the Immigration Service regarding the above-mentioned case.

Kindly locate the file and advise us on the status of this application for adjustment of status.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

JANET A. SAVRIN

MAGIER & SAVRIN

ATTORNEYS AT LAW

SEYMOUR MAGIER
JANET A. SAVRIN450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
s.mag1115@yahoo.com
jasavrin@gmail.com

FILE COPY

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

July 9, 2007

U.S. Citizenship and Immigration Services
26 Federal Plaza,
Section 245, Floor No. 8
New York, NY 10278
Attention: DAO Wanton**Re: I-485 Application for Adjustment of Status**
Mr. Vladimir GOLOVANOV - A# 95 521 158

Dear DAO Wanton:

Please be advised that Mr. Golovanov was interviewed by you on March 15, 2006, and he was fingerprinted by the USCIS on January 9, 2007, as per the attached notices. On that day, Mr. Golovanov's name clearance was not back.

It has been more than fourteen months and we have not received any decision from the Immigration Service regarding the above-mentioned case.

Kindly locate the file and advise us on the status of this application for adjustment status.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

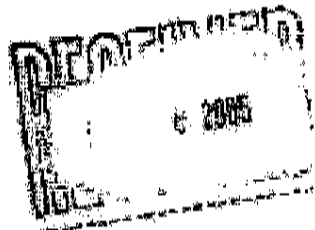
MAGIER & SAVRIN

D

Re: Fed. Ex. Matter

Tamara Gruzberg
Vladimir Gruzberg
170 R 88th Street Apt 6C
New York, NY 10128

Carolyn Maloney (D-NY 14th)
1651 Third Ave., #311
New York, NY 10128



September 19, 2005

Dear Carolyn Maloney:

I am seeking your help in the matter very important for me and my family.

I am a naturalized citizen and petitioned for my husband Vladimir Gruzberg (A 095 521 158) to become a permanent resident more than three and a half years ago. Since then our child was born; she is three years old now. We have had our interview with a Homeland Security (former INS) officer more than a year and half ago on Feb 2, 2004. As far as we could tell the interview was successful, with the only remaining issue left was the security clearance from the Department of Homeland Security. Since then, for more than a year there were no developments in our case until on May 21, 2004 Vladimir was called for second fingerprinting. We hoped that this would mean that our case is close to conclusion as we assumed that our file got a renewed attention from a reviewer. However, another three months passed without any progress.

My husband is making valuable contributions to our society. He has Ph.D. in Physics from the SUNY at Stony Brook; he has been working at a major financial company (Greenwich Capital Markets) for seven years.

Not having a permanent resident status is a severe burden on Vladimir and our whole family as we are lacking the very basic security and stability in our life.

We understand the need for the elevated scrutiny of Green card applicants in current environment; however one and half years from the interview (not to mention three and a half years from the initial application date) seems like a lot of time. The most disturbing issue here is that there is no timetable of any kind of when we can possibly expect the resolution of our case. As far as we can tell, it can last indefinitely.

We are hoping that being our representative in the US Congress you would help us to get our voices heard and our questions answered.

Here are some details of our application:

Vladimir Golovanov,

AN: 095 521 158

DOB: 10/20/1971

Place of Birth: Uzbekistan, Tashkent.

Citizenship: Ukraine

Passport Filed: 2/13/2002

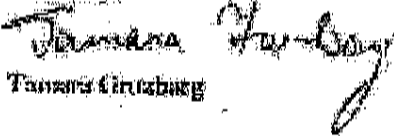
First fingerprinting scheduled: 11/26/2002; postponed as the day declared federal holiday. Taken on 12/30/2003

Interview: 2/2/2004

Second Fingerprinting: 6/7/2005

Green card received: ?????

Sincerely,



Tamara Grushberg

U.S. DEPARTMENT OF HOMELAND SECURITY
Citizenship and Immigration Services
26 Federal Plaza
New York, New York 10278



A 85521158
NYC 06-0321

HONORABLE CAROLYN MALONEY
MEMBER OF U.S. CONGRESS
1651 THIRD AVENUE SUITE 311
NEW YORK, NY 10128

11-Oct-05

Subject: GOLOVANOV, VALDIMIR

Dear CONGRESSWOMAN MALONEY

We received your request for information regarding the subject on 10/11/2005

Your request is being handled in chronological order. It has been assigned the following record number: **06-0321**
Please cite this number in any further inquiry concerning this request.

We will respond to your request as quickly as possible.
Thank you for your patience in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mary Ann Gantner".

Mary Ann Gantner

District Director

U.S. Citizenship & Immigration Services

New York District

MAG/ L. Kerk

CAROLYN B. MALONEY

Member of Congress

Washington, DC 20515

ALBANY, NEW YORK

NEW YORK, NEW YORK

NEW YORK, NEW YORK



Congress of the United States

House of Representatives

Washington, DC 20515

January 30, 2006

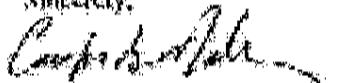
Mr. Vladimir Golovanov
170 E 88th St Apt 6C
New York, NY 10128

Dear Mr. Golovanov:

I recently wrote to the USCIS on your behalf. Enclosed please find a copy of the response I received. I hope you find the information therein useful.

If you have any questions, or if I can be of further assistance regarding this or any other matter, please do not hesitate to contact Laxmi Krishnaswamy in my district office at (212) 860-0600.

Sincerely,


CAROLYN B. MALONEY
Member of Congress

CTM/bly

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-5679

Sign up for periodic e-mail updates from Congresswoman Maloney at
<http://www.house.gov/maloney/email.html>

CAROLYN B. MALONEY
14TH DISTRICT, NEW YORK

2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

COMMITTEE ON
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE



Congress of the United States

House of Representatives

Washington, DC 20515-3214

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

January 4, 2006

Mr. Juan Linan
Supervisory District Adjudications Officer
U.S. Citizenship and Immigration Services
Congressional Liaison Unit
26 Federal Plaza, Room 536
New York, NY 10278-0004

Re: Golovanov, Vladimir
A-093521158

Dear Mr. Linan:

Thank you for your correspondence of October 11th, 2005, assigning the control # 46-0321 to my inquiry regarding the I-485 application for adjustment of status filed by Vladimir Golovanov. Mr. Golovanov resides in the 14th Congressional District, which I represent. To date, I have not received a substantive response to my inquiry.

As stated in the original correspondence (enclosed), Mr. Golovanov filed his application in February 2002 and was interviewed in February 2004. Since that time, Mr. Golovanov has not received any additional information from USCIS. Accordingly, please advise me as to the status of Mr. Golovanov's I-485 application for adjustment of status.

I request that Mr. Golovanov's application be reviewed once again, consistent with all applicable rules and regulations. If you have any questions regarding this matter, please do not hesitate to contact Elena Krishnamoorthy in my district office at (212) 460-0606.

Sincerely,

Carolyn B. Maloney

CAROLYN B. MALONEY
Member of Congress

CBM/rt
cc: Vladimir Golovanov

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

CAROLYN B. MALONEY
14th District, New York

Post: Business Hours Office Hours
Washington, DC 20515-3214
(202) 225-7940

Office Hours:
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE



Congress of the United States

House of Representatives

Washington, DC 20515-3214

April 21, 2006

20-0001-000000
1000 11000 00000
Suite 311
New York, NY 10101
(212) 900-0000

20-0001-000000
Suite 311
New York, NY 10101
(212) 900-0000

Website: www.house.gov/maloney

Blair Kalisch
Office Of Congressional Affairs
Federal Bureau Of Investigation
U.S. Department of Justice
935 Pennsylvania Avenue
Washington, DC 20535-0001

Re: Golovanov, Vladimir
A95521158

Dear Ms. Kalisch:

I am writing on behalf of Tamara Gruzburg, who resides in the 14th Congressional District, which I represent. Ms. Gruzburg contacted me regarding the status of the security background checks for the pending I-485 application for adjustment of status filed by her husband, Vladimir Golovanov.

As stated in the enclosed correspondence, Mr. Golovanov submitted his I-485 application on February 12, 2002 and was fingerprinted for the first time on December 30, 2003. Since then, he has been fingerprinted once more, in June 2005, and he was summoned for another interview in March 2006. At this time, he was told that since the security checks have not been completed, USCIS cannot proceed with processing his application. Accordingly, please advise me as to when Mr. Golovanov can expect to receive security clearance.

At this time, I request that Ms. Gruzburg's concerns receive prompt review and every possible consideration, consistent with all applicable rules and regulations. Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact Tina Olechowski in my district office at (212) 860-0606.

Sincerely,

Carolyn B. Maloney
CAROLYN B. MALONEY
Member of Congress

CBM/Elw
cc: Vladimir Golovanov

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

CAROLYN B. MALONEY
Congresswoman, New York

U.S. House of Representatives, Room 510
1001 Longworth Building
Washington, DC 20540

Phone: (202) 225-4111
Fax: (202) 225-4112

Website: www.house.gov/maloney

Office: (202) 225-4111



Congress of the United States

House of Representatives

Washington, DC 20515-7724

May 25, 2006

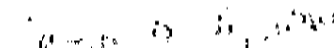
Ms. Tamara Gruzberg
170 E 88th St Apt 6C
New York, NY 10128-2378

Dear Ms. Gruzberg:

I recently wrote to the F.B.I. on your behalf. Enclosed please find a copy of the response I received. I hope you find the information therein useful. Please note I have sent a follow up letter to the F.B.I. I will forward you additional information as it is forthcoming.

If you have any questions, or if I can be of further assistance regarding this or any other matter, please do not hesitate to contact Tina Olechowski in my district office at (212) 869-0606.

Sincerely,



CAROLYN B. MALONEY
Member of Congress

CBM:hcl

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

Sign up for periodic e-mail updates from Congresswoman Maloney at
<http://www.house.gov/maloney/email.html>

07/10/2007 16:42 FAX 2122842260

CONGRESSIONAL

002/002

Congressional Unit

GIVE THIS YOUR IMMEDIATE ATTENTION !



File No: 95521158

Date : 6/28/2007

Ctrl : **07-7246**

In Re: **GOLOVANOV, VLADIMIR**

Information requested by : **SCHUMER, CHARLES E.**
757 THIRD AVENUE SUITE 17-02 NEW YORK, NY 10017

☐ Attorney ☐ Congressional ☐ Consulate ☐ Other

Inquiry: ☐ Telephone ☐ By Letter ☐ Appeared in person

To: **CON**

Information requested: **FOR REVIEW AND RESPONSE, DUE BY 7/28/2007**

STATUS OF I-485.

Information furnished:

PLEASE ADVISE YOUR CONSTITUENT ALL APPLICANTS SEEKING U.S. IMMIGRATION BENEFITS ARE SUBJECT TO CRIMINAL AND NATIONAL SECURITY CHECKS. THESE INVESTIGATIONS REQUIRE TIME RESOURCES AND PATIENCE. THE USCIS RECOGNIZES THAT THE PROCESS IS SLOWER FOR SOME CUSTOMERS. THE USCIS IS WORKING CLOSELY WITH THE FBI AND OTHER AGENCIES TO SPEED THE BACKGROUND CHECK PROCESS. HOWEVER, THE SERVICE CANNOT MAKE A FINAL DECISION WITHOUT CLEARANCE OF THE REQUIRED SECURITY CHECKS.

Shelia D. Ziffer 7/10/07
(Signature of Officer or Employee)

Approved by: *V. Wright* 7/10/07
(Signature of Supervisor)

Location:

Congressional Unit**GIVE THIS YOUR IMMEDIATE ATTENTION !**

File No: 95521158

Date : 10/11/2006

Ctrl : **07-0278**In Re: **GOLOVANOV, VLADIMIR**Information requested by: **MALONEY, CAROLYN**
1651 THIRD AVENUE SUITE 311 NEW YORK, NY 10128☐ Attorney ☐ Congressman ☐ Diplomat ☐ OtherPriority: ☐ Telephone ☐ By Letter ☐ Accessed in personTo: **CON**Information requested FOR REVIEW AND RESPONSE DUE BY **11/10/2006**

STATUS OF I-485

Information furnished

PLEASE BE ADVISED APPLICANT'S CASE IS CURRENTLY PENDING MANDATED SECURITY BACKGROUND CHECKS. BACKGROUND CHECKS MAY STILL BE CONSIDERED PENDING WHEN EITHER THE FBI OR RELEVANT AGENCY HAS NOT PROVIDED THE FINAL RESPONSE TO THE BACKGROUND CHECK OR WHEN THE FBI OR AGENCY HAS PROVIDED A RESPONSE, BUT THE RESPONSE REQUIRES FURTHER INVESTIGATION OR REVIEW BY THE AGENCY OR USCIS. RESOLVING PENDING CASES IS TIME-CONSUMING AND LABOR-INTENSIVE; SOME CASES LEGITIMATELY TAKE MONTHS OR EVEN SEVERAL YEARS TO RESOLVE.

Signature of Officer or Employee

Approved by

Signature of Supervisor

Station

Congressional Unit
GIVE THIS YOUR IMMEDIATE ATTENTION!



File No: 95521158
Date : 1/24/2006
Ctrl : 06-3242

In Re: **GOLOVANOV, VLADIMIR**

Information requested by : **MALONEY, CAROLYN**
1651 THIRD AVENUE SUITE 311 NEW YORK, NY 10128

☐ Airway ☐ Congressional ☐ Consulate ☐ Other
☐ Inquiries ☐ Telephone ☐ By Letter ☐ Appeared in person

To: **CON**

Information requested: **FOR REVIEW AND RESPONSE DUE BY 2/23/2006**

STATUS YOUR OWNERS.

Information requested:

PLEASE BE ADVISED THAT APPLICANT WAS PREVIOUSLY INTERVIEWED AND WAITING FOR
COMPLETION OF ALL REQUIRED SECURITY AGENCY CHECKS. APPLICANT WILL BE NOTIFIED BY
MAIL OF ALL FURTHER ACTIONS.

[Signature]
Special Agent in Charge

Approved By:

[Signature]
Supervisor

Location:

E

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Domestic Operations Directorate
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

FEB 4 - 2008

HQ 70/23 & 70/28.1

Interoffice Memorandum

TO: Field Leadership

FROM: Michael Aytes 
Associate Director, Domestic Operations

SUBJECT: Revised National Security Adjudication and Reporting Requirements

Background

U.S. Citizenship and Immigration Services (USCIS) conducts background checks on all applicants, petitioners, and beneficiaries seeking immigration benefits. This is done both to enhance national security and to ensure the integrity of the immigration process. USCIS has previously mandated that FBI name checks be completed and resolved before any positive adjudication can proceed on certain form types. This memorandum modifies existing guidance for applications where statutory immigration provisions allow for the detention and removal of an alien who is the subject of actionable information that is received from the FBI or other law enforcement agencies after approval of the application.

USCIS is issuing revised guidance in response to recommendations of the DHS Office of Inspector General (OIG-06-06) regarding the need to align the agency's background and security check policies with those of U.S. Immigration and Customs Enforcement (ICE). The *Background and Security Investigations in Proceedings Before Immigration Judges and the Board of Immigration Appeals* regulations prevent immigration judges and the Board of Immigration Appeals (BIA) from granting benefits to aliens before DHS confirms that all background and security checks have been completed. See 8 C.F.R. § 1003.47(g); 8 C.F.R. § 1003.1(d)(6)(i). In the context of removal proceedings, ICE has determined that FBI fingerprint checks and Interagency Border Inspection Services (IBIS) checks are the required security checks for purposes of the applicable regulations. In the unlikely event that FBI name checks reveal actionable information after the immigration judge grants an alien permanent resident status, DHS may detain and initiate removal proceedings against the permanent resident. See 8 U.S.C. § 1227; see also 8 U.S.C. § 1256 (allowing DHS to rescind an alien's adjustment of status).

Revised National Security Adjudication and Reporting Requirements
Page 2

Revised Guidance

A definitive FBI fingerprint check and the IBIS check must be obtained and resolved before an Application for Adjustment of Status (I-485), Application for Waiver of Ground of Inadmissibility (I-601), Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act (I-687), or Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603) (I-698) is approved. USCIS will continue to initiate FBI name checks when those applications are received. Where the application is otherwise approvable and the FBI name check request has been pending for more than 180 days, the adjudicator shall approve the I-485, I-601, I-687, or I-698 and proceed with card issuance. The FBI has committed to providing FBI name check results within this timeframe.

There is no change in the requirement that FBI fingerprint check, IBIS check and FBI name check results be obtained and resolved prior to the adjudication of an Application for Naturalization (N-400).

Pending further guidance regarding post-audit reporting and tracking requirements and modifications to associated quality assurance procedures, applications approved pursuant to this memorandum shall be held at the adjudicating office. If derogatory or adverse information is received from the FBI after the application is approved, USCIS will determine if rescission or removal proceedings are appropriate and warranted.

Subject to the reporting requirements set forth in the February 16, 2007, memorandum titled "FBI Name Checks Policy and Process Clarification for Domestic Operations," an application or petition may be denied, dismissed, administratively closed, withdrawn, or referred to the Immigration Court at any time.

Questions regarding this memorandum should be directed through appropriate supervisory and operational channels. Local offices should work through their chain of command.

Distribution List:
Regional Directors
Service Center Directors
District Directors (except foreign)
Field Officer Directors (except foreign)
National Benefits Center Director

F



**U.S. Citizenship
and Immigration
Services**

News Release

April 2, 2008

USCIS AND FBI RELEASE JOINT PLAN TO ELIMINATE BACKLOG OF FBI NAME CHECKS

Partnership Establishes Series of Milestones To Complete Checks

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) and the Federal Bureau of Investigation (FBI) today announced a joint plan to eliminate the backlog of name checks pending with the FBI.

USCIS and the FBI established a series of milestones prioritizing work based on the age of the pending name check. The FBI has already eliminated all name check cases pending more than four years.

“This plan of action is the product of a strong partnership between USCIS and the FBI to eliminate the backlogs and to strengthen national security,” said USCIS Director Emilio Gonzalez.

By increasing staff, expanding resources, and applying new business processes, the goal is to complete 98 percent of all name checks within 30 days. USCIS and the FBI intend to resolve the remaining two percent, which represent the most difficult name checks and require additional time to complete, within 90 days or less. The goal is to achieve and sustain these processing times by June 2009.

The joint plan will focus on resolving the oldest pending FBI name checks first. USCIS has also requested that the FBI prioritize resolution of approximately 29,800 pending name checks from naturalization applicants submitted to the FBI before May 2006 where the naturalization applicant was already interviewed.

The target milestones for processing name checks are:

Completion Goal	Category
May 2008	Process all name checks pending more than three years
July 2008	Process all name checks pending more than two years
Nov. 2008	Process all name checks pending more than one year
Feb. 2009	Process all name checks pending more than 180 days
June 2009	Process 98 percent of all name checks within 30 days and process the remaining two percent within 90 days.

– USCIS –

JUDGE HOLWELL

08 CIV 42757

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
VLADIMIR GOLOVANOV,

Plaintiff,

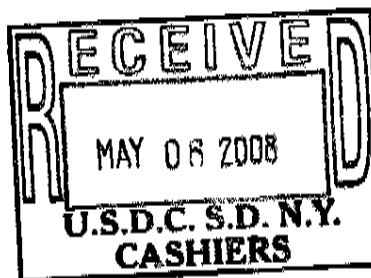
- against -

Index No:

**COMPLAINT FOR WRIT IN
THE NATURE OF MANDAMUS**

**MICHAEL CHERTOFF, Secretary,
Department of Homeland Security;
EMILIO T. GONZALEZ, Director of U.S.
Citizenship and Immigration Services;
ROBERT S. MUELLER III, Director of
Federal Bureau of Investigation
ANDREA J. QUARANTILLO, Director,
New York City District, U.S. Citizenship
and Immigration Service
MICHAEL MUKASEY, U.S. Attorney
General of the United States of America**

Defendants.



-----X
Plaintiff, Vladimir Golovanov, by his attorneys, Law Offices of Tsirina Goroshit & Associates, P.C., in the above-captioned matter, and hereby upon information and belief alleges as follows:

1. This action is brought against the Defendants to compel action on the clearly delayed processing of an I-485 Application filed by the Plaintiff, Vladimir Golovanov. The application was filed and remains within the jurisdiction of the Defendants, who have improperly handled and delayed processing the application to Plaintiff detriment.

PARTIES

2. Plaintiff, Vladimir Golovanov, resides at 170 East 88 Street, Apt.6C, New York, NY, 10128 alien number 95521158, is the applicant of an I-485, Application to Register Permanent Resident or Adjustment of Status, filed with the USCIS on February 13, 2002.
3. Defendant Michael Chertoff is the Secretary of the Department of Homeland Security, and this action is brought against him in his official capacity. He is generally charged with

enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department of Homeland Security. 8 USC § 1103(a). More specifically, the Secretary of the Department of Homeland Security is responsible for the adjudication of applications for nonimmigrant visas filed pursuant to the Immigration and Nationality Act (INA). The U.S. Citizenship & Immigration Services is an agency within the Department of Homeland Security to whom the Secretary of the Department of Homeland Security's authority has in part been delegated, and is subject to the Secretary of the Department of Homeland Security's supervision.

4. Defendant Dr. Emilio T. Gonzalez is the Director of the U.S. Citizenship & Immigration Services (USCIS) and an official generally charged with supervisory authority over all operations of the USCIS with certain specific exceptions not relevant here. 8 CFR § 103.1(g)(2)(ii)(B).
5. Defendant Robert S. Mueller, III, Director of Federal Bureau of Investigations (FBI), the law enforcement agency that conducts security clearances for other U.S. government agencies, such as the Department of State. As will be shown, Defendant has failed to complete the security clearances of Plaintiff's case.
6. Defendant Andrea J. Quarantillo, District Director, is an official of U.S. Citizenship & Immigration Services (USCIS) generally charged with authority over operation of the USCIS within her District with certain specific exceptions not relevant here. 8 CFR § 103.1(g)(2)(ii)(B). Defendant District Director is an official with whom Plaintiff's application to Register Permanent Residence of Adjustment of Status was properly filed.
7. Defendant, Michael Mukasey, is the Attorney General of the United States, he is charged with controlling determination of all issues of law pertaining immigration and with representing the United States of America in various legal matters. Specifically, the Attorney General is responsible for the adjudication of application for adjustment of status filled pursuant to §245 of INA, 8 USC § 1255.

JURISDICTION

8. Jurisdiction in this case is proper under 28 USC §§ 1331 and 1361, APA 5 USC § 555(b), 5 USC §701 et seq., §702, 5 USC §§ 706 (1) and 28 USC §2201 et seq. Relief is requested pursuant to said statutes.

VENUE

9. Venue is proper in this Court, pursuant to 28 USC §§ 1391 (e), in that this is an action against officers and agencies of the United States in their capacity, brought in the District where Plaintiff resides.

EXHAUSTION OF REMEDIES

10. The Plaintiff has exhausted his administrative remedies. The Plaintiff has supplied the USCIS documents that clearly establish his eligibility to Register Permanent Resident or Adjust Status.

CAUSE OF ACTION

11. The Plaintiff properly filed a Family based application I-485, Application to Register Permanent Resident or Adjust Status. **Enclosed as an Exhibit A** a copy of USINS receipt.
12. This petition along with an I-130 and supporting documentation was filed by the plaintiff through his attorney on or about February 13, 2002. Fingerprints were submitted to USCIS twice. First time on or about December 30, 2003 and a second time on or about June 7, 2005. The Plaintiff was interviewed twice at New York District Office located in New York, NY. On February 2, 2004 and on March 15, 2006 and was informed that USCIS had not completed his background checks and therefore, was unable to approve the petition. Enclosed as **Exhibit B** are interview appointments documents from the USCIS.
13. Since April 2004, Plaintiff has been contacting USCIS about the case status at least once a month to figure out why the processing of the case has been delayed and has received no definitive responses or relief and made numerous specific requests with USCIS New York District Office. Since April 2004, approximately, once per month, Plaintiff appeared before the USCIS New York District Office in order to inquire information about the status of his case, and was told that the USCIS still had not completed his background check and does not know when it will be completed.
14. Plaintiff engaged law office of Magier & Savrin to write follow up letters to USCIS pertaining his delayed Adjustment of status pending security name checks evidenced by letters dated April 9, 2004, January 21, 2005, April 5, 2005, September 7, 2005, June 7, 2007 and July 9, 2007. USCIS did not respond to these letters. Enclosed hereto as an **Exhibit C**.
15. Since September 2004, Plaintiff requested Congressional Assistance from the office of Hillary Rodham Clinton, from Charles E. Schumer, and from Congresswoman Maloney, but the only answer that was received from USCIS is that USCIS is unable to decide on this case due to pending security checks. Enclosed hereto letters and responses as an **Exhibit D**.
16. The defendants have failed to properly adjudicate this petition. They have failed to adhere to their own regulation (see 8 U.S.C. § 1255(b); 8 C.F.R. § 103.2 (19); 8. C.F.R. § 245(a)(5)) and have improperly delayed the processing of the Plaintiff's I-485 Application after the

Plaintiff had submitted a properly executed application. It has been **75 months** since Plaintiff has filed his I-485.

17. Under the recent USCIS Memorandum, dated February 4, 2008 "Where the application is otherwise approvable and the FBI name checks request has been pending for more than 180 days, the adjudicator **shall approve** the I-485, I-601, I-687, or I-698 and proceed with card issuance. (Emphasis added). Enclosed hereto as an **Exhibit "E"**. Moreover, USCIS news release dated April 2, 2008, states as follows: "The FBI has already eliminated all name check cases pending more than four years". Plaintiff is waiting for six years and three months. Enclosed a copy of news release as an **Exhibit "F"**.
18. Defendants have sufficient information to determine Plaintiff's eligibility pursuant to applicable requirements and complete the processing procedure. The Defendants actions in adjudicating the Plaintiff's case have clearly gone beyond the expected processing time. Plaintiff's application for adjustment of status remained not adjudicated for a period of 6 years and 3 months substantially beyond all applicable processing times and delays.
19. Defendants delay in this case is, as matter of law, arbitrary and not according with law. Defendants willfully, and unreasonably, have inappropriately refused to adjudicate the petition, thereby depriving him of the rights to which the Plaintiff is entitled.
20. The Plaintiff has been greatly damaged by the failure of Defendants to act in accord with their duties under the law.
 - (a) Specifically, Plaintiff Vladimir Golovanov has been unable to obtain legal permanent residence, travel, work and study without restriction and accrue time to be eligible for Naturalization as a citizen of the United States.
 - (b) Plaintiff Vladimir Golovanov, holds a Ph.D in Physics, he is a employed as a Senior Vice President in RBS Greenwich Capital Markets, Inc., and is a father of two baby girls, underwent a great stress during six years of his process of adjustment due to a constant attempts to obtain information regarding his case status, contacting Congress representatives, and currently, after a birth of his baby girl, must spend time with his infants, therefore, making it more difficult to revisit New York District Office and contacting USCIS for the status updates.
 - (c) Plaintiff has been damaged in his ability to work and travel, because his employment authorization and ability to travel are tied to his status as an applicant for permanent residency and is limited to increments not to exceed one year. Therefore, Plaintiff has been forced to apply and pay for work permit and travel documents 6 times.
21. Defendants, in violation of the Administrative Procedures Act, 5 USC §701 et seq., § 706(1) are unlawfully withholding action on the Plaintiff's application and have failed to

carry out the adjudicative functions delegated to them by law with regards to the Plaintiff's case. Defendants are administrative agencies subject to 5 U.S.C § 555(b), thus defendants have a legal duty to complete security checks and adjudicate application for adjustment of status within a reasonable time.

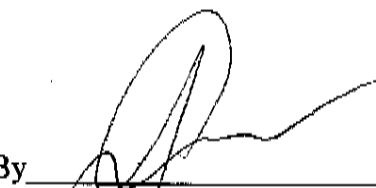
22. Plaintiff has provided sufficient evidence of his attempt to secure adjudication of this application at issue, all to no avail. Accordingly, the Plaintiff has been forced to pursue the instant action.

PRAYER

23. WHEREFORE, in view of the arguments and authority noted herein, the Plaintiff respectfully prays that the Defendants be cited to appear herein and that, upon due consideration, the Court enter an order:

- (a) requiring Defendants to properly adjudicate Plaintiff's application for an adjustment of status;
- (b) requiring Defendants to provide the Plaintiff with a Notice of Approval;
- (c) awarding Plaintiff reasonable attorney's fees under the Equal Access to Justice Act 5 USC 504.
- (d) granting such other relief at law and in equity as justice may require.

Dated: May 5, 2008
New York, NY

By 
Tsirina Goroshit (TG7676)
Attorney for the Plaintiff
Law Offices of Tsirina Goroshit &
Associates, P.C
275 Madison Ave, 4th Floor
New York, NY 10016
Tel (347)249-1311
lawmakesdifference@hotmail.com

A

U.S. I.N.S.

FEE RECEIPT

A CENTURY OF SERVICE

102/13/02

N.Y.C.

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GOLDVANDU

I 130

\$ 110.00

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FR PRINT

\$ 25.00

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4 ITEMS

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10/13

B



U. S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

PRESENT THIS LETTER AT THE WORTH STREET ENTRANCE

Vladimir GOLOVANOV

File Number: A95521158

345 East 80th Street, Apt. 19B

Date: 06/20/2003

New York, NY 10021

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	26 FEDERAL PLAZA NEW YORK, NY 10278	Room No. 8-800	Floor No. 8TH
DATE AND HOUR		02/02/2004	7:45:00 AM
ASK FOR	IMMIGRATION EXAMINER		
REASON FOR APPOINTMENT	ADJUSTMENT OF STATUS		
BRING WITH YOU	SEE ATTACHMENTS		

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU. IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:	
SIGNATURE	DATE

Attorney Name: Magler & Savrin

Very truly yours,

Attorney Address: 460 Seventh Avenue, Suite 2407

New York, NY 10123-

*Fingerprint appointment forward to applicant:

Mary Ann Gantner
Interim Director
New York District



**U. S. Department of Homeland Security
Bureau of Citizenship and Immigration Services**

PRESENT THIS LETTER AT THE WORTH STREET ENTRANCE

Vladimir GOLOVANOV

File Number: A95521158

170 East 88th Street, Apt 6C

Date: 1/11/2006

New York, NY 10028

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	26 FEDERAL PLAZA NEW YORK, NY 10278	Room No. 8-800	Floor No. 8TH
DATE AND HOUR	3/15/2006 10:30:00 AM		
ASK FOR	IMMIGRATION EXAMINER		
REASON FOR APPOINTMENT	ADJUSTMENT OF STATUS (NOTE: This notice does not represent a decision on motions in any related matters or prior decisions.)		
BRING WITH YOU	SEE ATTACHMENTS		

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU. IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:	
SIGNATURE	DATE

Attorney Name: Magier & Savrin Esq
Attorney Address: 450 Seventh Ave Ste 2407
New York, NY 10123-

Very truly yours,

Mary Ann Gantner
District Director - CIS
New York District



**U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services**

Fingerprint Notification

Vladimir GOLOVANOV
345 East 80th Street, Apt. 19B
New York, NY 10021

Date: 06/20/2003
A Number: A85521158
DOB: 10/20/1971

Dear Applicant:

To continue processing your (please circle one of the followings: 1-485, _____) application, INS must send your fingerprints to the Federal Bureau of Investigation. If you were between the ages of 14 and 75 at the time of filing, you must have your fingerprints taken at an INS Application Support Center (ASC). You have been scheduled to be fingerprinted at the location listed below:

<u>Address</u>	<u>Hours of Operation</u>	
US Immigration & Naturalization Service	Saturday & Sunday	Closed
201 Varick Street - 10 Floor	Monday - Friday	8 am - 4 pm
New York, NY 10014	Also Closed On Federal Holidays	

Corner of Varick Street and Houston Street.
Subway: Take the B, D, Q, E or F to West 4 Street, then walk about 3 blocks. Take the Number 1 or 9 to Houston Street Station

You are scheduled to be fingerprinted at the address above

on 12/26/2003 at 8:00 AM

When you go to have your fingerprints taken, you must bring:

- 1) This Letter; and
- 2) Your Alien Registration Card (ARC). If you do not have your ARC, you must bring alternative photo identification such as passport, valid driver's license, national ID, State-issued photo ID, or other INS-issued photo ID.

Please be reminded that you must bring this letter and proper photo identification mentioned above to have your fingerprints taken, without them the INS ASC will not take your fingerprints. This will delay in the processing of your application.

If you can not go to the INS ASC on your scheduled day, you must request another appointment in writing to the address listed above within 7 days after you have received this letter. You must have your fingerprints taken within 87 days from the date on the upper right hand corner of this notice. If you do not have your fingerprints taken within that period, your application or petition may be considered abandoned and denied. Please do not appear before your scheduled date

Sincerely,

Mary Ann Gattner
Interim Director
New York District



U.S. Department of Justice
Immigration and Naturalization Service

Fingerprint Notification

Date: MAY 21, 2005

A Number: A095531158

DOB: 10/20/1971

SEYMOUR MAGIER
450 SEVENTH AVE, STE. 2407
NEW YORK, NY 10123
CC: WADIMIR GLOVANOV

Dear Applicant:

To continue processing your (please circle one of the followings: 1-246, 1-485, 1-589, 1-589) application, INS must send your fingerprints to the Federal Bureau of Investigation. If you were between the ages of 14 and 75 at the time of filing, you must have your fingerprints taken at an INS Application Support Center (ASC). You have been scheduled to be fingerprinted at the location listed below:

Address

US Immigration & Naturalization Service
201 Varick Street - 10th Floor
New York, NY 10014

Hours of Operation

Saturday & Sunday

Closed

Monday - Friday

8am-4pm

Also Closed On Federal Holidays

* You are scheduled to be fingerprinted at the address above
on JUNE 7, 2005 at 8:00 AM

When you go to have your fingerprints taken, you must bring:

- 1) This Letter
- 2) Your Alien Registration Card (ARC). If you do not have your ARC, you must bring alternative photo identification such as passport, valid driver's license, national ID, State-issued photo ID, or other INS-issued photo ID.

Please be reminded that you must bring this letter and proper photo identification mentioned above to have your fingerprints taken, without them the INS ASC will not take your fingerprints. This will delay in the processing of your application.

If you can not go to the INS ASC on your scheduled day, you must request another appointment in writing to the address listed above within 7 days after you have received this letter. You must have your fingerprints taken within 87 days from the date on the upper right hand corner of this notice. If you do not have your fingerprints taken within that period, your application or petition may be considered abandoned and denied.

BIOMETRICS PROCESSING STAMP

ASC SITE CODE: XNK

BIOMETRICS QA REVIEW BY:

N.Y.C. - XNK

201 VARICK STREET - 10 FL
N.Y., NY 10014

Corner of Varick Street and Houston Street

Subway: Take the B, D, Q, R, or F train to W 4 Street, then walk about three blocks. Take the number 1 or 9 train to Houston Street Station.

MONDAY - FRIDAY
8:00 AM - 4:00 PM

ON
FINGERPRINTS QA REVIEW BY:

157497 ON 06/07/2005

C

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
symag@aol.com - jasavrin@aol.com

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

April 9, 2004

By Hand

US Citizenship and Immigration Services
26 Federal Plaza, 8th Floor
New York, NY 10278
ATTN: Officer Lisa Dore

RE: **GOLOVANOV, Vladimir**
A# 95 521 158

Magier
to Bureau
6/8/04
(Pm)

Dear Sir or Madam:

Please be advised that the above mentioned was interviewed in your office by Officer Dore on February 2, 2004 as per attached notice.

On that day, the applicant was told to wait for clearances. It has been more than two months and there has been no response.

Kindly locate file and advise me of the status of this case.

Thank you.

Very truly yours,

SEYMOUR MAGIER

WDs
v.1003
10/10/03

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
IANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

January 21, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: APPLICATION FOR ADJUSTMENT OF STATUS
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

MAGIER & SAVRIN
ATTORNEYS AT LAW

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

FILE COPY

April 5, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: APPLICATION FOR ADJUSTMENT OF STATUS
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

RECEIVED SVC
US INS & NAT
2005 APR 28 AM 9:31
SECTION 245
NEW YORK

MAGIER & SAVRIN
ATTORNEYS AT LAW

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 987-0867

FILE COPY

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY
11021

September 7, 2005

USCIS
26 Federal Plaza
New York, NY 10278
ATTN: Officer Lisa Dore

RE: **APPLICATION FOR ADJUSTMENT OF STATUS**
GOLOVANOV, Vladimir
A# 95 521 158

Dear Sir or Madam:

Please be advised that the above-mentioned applicant was interviewed in your office by you on February 2, 2004 as per attached notice. The case appeared to be approved pending clearances.

Please advise us if/when you will receive clearances so that the applicant can receive of his green card.

Thank you for your kind cooperation regarding this matter.

Very truly yours,

MAGIER AND SAVRIN

MAGIER & SAVRIN
ATTORNEYS AT LAW

FILE COPY

SEYMOUR MAGIER
JANET A. SAVRIN

450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
symag1115@yahoo.com
jasavrin@gmail.com

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

June 7, 2007

U.S. Citizenship and Immigration Services
26 Federal Plaza,
Section 245, Floor No. 8
New York, NY 10278
Attention: DAO Wanton

Re: **I-485 Application for Adjustment of Status**
Mr. Vladimir GOLOVANOV – A# 95 521 158

Dear DAO Wanton:

Please be advised that Mr. Golovanov was interviewed by you on March 15, 2006 as per the attached notice. On that day, Mr. Golovanov's name clearance was not back.

It has been more than two months and we have not received any correspondence from the Immigration Service regarding the above-mentioned case.

Kindly locate the file and advise us on the status of this application for adjustment of status.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

JANET A. SAVRIN

MAGIER & SAVRIN

ATTORNEYS AT LAW

SEYMOUR MAGIER
JANET A. SAVRIN450 Seventh Avenue
Suite 2407
New York, NY 10123-0110
Tel: (212) 564-8525
Fax: (212) 967-0867
s.mag1115@yahoo.com
jasavrin@gmail.com

FILE COPY

Great Neck Office:
40 Cutter Mill
Room 300
Great Neck, NY 11021

July 9, 2007

U.S. Citizenship and Immigration Services
26 Federal Plaza,
Section 245, Floor No. 8
New York, NY 10278
Attention: DAO Wanton**Re: I-485 Application for Adjustment of Status**
Mr. Vladimir GOLOVANOV - A# 95 521 158

Dear DAO Wanton:

Please be advised that Mr. Golovanov was interviewed by you on March 15, 2006, and he was fingerprinted by the USCIS on January 9, 2007, as per the attached notices. On that day, Mr. Golovanov's name clearance was not back.

It has been more than fourteen months and we have not received any decision from the Immigration Service regarding the above-mentioned case.

Kindly locate the file and advise us on the status of this application for adjustment status.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

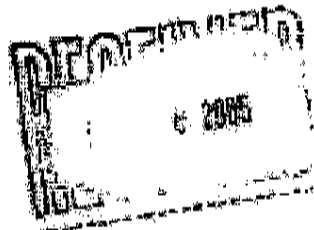
MAGIER & SAVRIN

D

Re: Fed. R. Civ. P. 12(b)(6)

Tamara Gruzberg
Vladimir Gruzberg
170 R 88th Street Apt 6C
New York, NY 10128

Carolyn Maloney (D-NY 14th)
1651 Third Ave., #311
New York, NY 10128



September 19, 2005

Dear Carolyn Maloney:

I am seeking your help in the matter very important for me and my family.

I am a naturalized citizen and petitioned for my husband Vladimir Gruzberg (A 095 521 158) to become a permanent resident more than three and a half years ago. Since then our child was born; she is three years old now. We have had our interview with a Homeland Security (former INS) officer more than a year and half ago on Feb 2, 2004. As far as we could tell the interview was successful, with the only remaining issue left was the security clearance from the Department of Homeland Security. Since then, for more than a year there were no developments in our case until on May 21, 2005 Vladimir was called for second fingerprinting. We hoped that this would mean that our case is close to conclusion as we assumed that our file got a renewed attention from a reviewer. However, another three months passed without any progress.

My husband is making valuable contributions to our society. He has Ph.D. in Physics from the SUNY at Stony Brook; he has been working at a major financial company (Greenwich Capital Markets) for seven years.

Not having a permanent resident status is a severe burden on Vladimir and our whole family as we are lacking the very basic security and stability in our life.

We understand the need for the elevated scrutiny of Green card applicants in current environment; however one and half years from the interview (not to mention three and a half years from the initial application date) seems like a lot of time. The most disturbing issue here is that there is no timetable of any kind of when we can possibly expect the resolution of our case. As far as we can tell, it can last indefinitely.

We are hoping that being our representative in the US Congress you would help us to get our voices heard and our questions answered.

Here are some details of our application:

Vladimir Golovanov,

AA: 095 521 158

DOB: 10/20/1971

Place of Birth: Uzbekistan, Tashkent.

Citizenship: Ukraine

Petition Filed: 2/13/2002

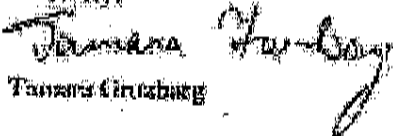
First fingerprinting scheduled: 11/26/2002; postponed as the day declared federal holiday. Taken on 12/30/2003

Interview: 2/2/2004

Second Fingerprinting: 6/7/2005

Green card received: ?????

Sincerely,


Tamara Ginzburg

U.S. DEPARTMENT OF HOMELAND SECURITY
Citizenship and Immigration Services
26 Federal Plaza
New York, New York 10278



A 85521158
NYC 06-0321

HONORABLE CAROLYN MALONEY
MEMBER OF U.S. CONGRESS
1651 THIRD AVENUE SUITE 311
NEW YORK, NY 10128

11-Oct-05

Subject: GOLOVANOV, VALDIMIR

Dear CONGRESSWOMAN MALONEY

We received your request for information regarding the subject on 10/11/2005

Your request is being handled in chronological order. It has been assigned the following record number: **06-0321**
Please cite this number in any further inquiry concerning this request.

We will respond to your request as quickly as possible.
Thank you for your patience in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Ann Gantner".

Mary Ann Gantner

District Director

U.S. Citizenship & Immigration Services

New York District

MAG/ll.kzek

CAROLYN B. MALONEY

Member of Congress

Washington, DC 20515

ALBANY, NEW YORK

NEW YORK, NEW YORK

NEW YORK, NEW YORK



Congress of the United States

House of Representatives

Washington, DC 20515

January 30, 2006


Mr. Vladimir Golovanov
170 E 88th St Apt 6C
New York, NY 10128

Dear Mr. Golovanov:

I recently wrote to the USCIS on your behalf. Enclosed please find a copy of the response I received. I hope you find the information therein useful.

If you have any questions, or if I can be of further assistance regarding this or any other matter, please do not hesitate to contact Laxmi Krishnaswamy in my district office at (212) 860-0600.

Sincerely,


CAROLYN B. MALONEY
Member of Congress

CTM/bly

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-5679

Sign up for periodic e-mail updates from Congresswoman Maloney at
<http://www.house.gov/maloney/email.html>

CAROLYN B. MALONEY
14TH DISTRICT, NEW YORK

2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

COMMITTEE ON
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE



Congress of the United States

House of Representatives

Washington, DC 20515-3214

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

14TH DISTRICT, NEW YORK
2851 RAVENHILL PLACE, SUITE 300
BROOKLYN, NY 11216
(718) 774-0800

January 4, 2006

Mr. Juan Linan
Supervisory District Adjudications Officer
U.S. Citizenship and Immigration Services
Congressional Liaison Unit
26 Federal Plaza, Room 536
New York, NY 10278-0004

Re: Golovanov, Vladimir
A-093521158

Dear Mr. Linan:

Thank you for your correspondence of October 11th, 2005, assigning the control # 06-0321 to my inquiry regarding the I-485 application for adjustment of status filed by Vladimir Golovanov. Mr. Golovanov resides in the 14th Congressional District, which I represent. To date, I have not received a substantive response to my inquiry.

As stated in the original correspondence (enclosed), Mr. Golovanov filed his application in February 2002 and was interviewed in February 2004. Since that time, Mr. Golovanov has not received any additional information from USCIS. Accordingly, please advise me as to the status of Mr. Golovanov's I-485 application for adjustment of status.

I request that Mr. Golovanov's application be reviewed once again, consistent with all applicable rules and regulations. If you have any questions regarding this matter, please do not hesitate to contact Elena Krishnamoorthy in my district office at (212) 460-0606.

Sincerely,

Carolyn B. Maloney

CAROLYN B. MALONEY
Member of Congress

CBM/rt
cc: Vladimir Golovanov

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

CAROLYN B. MALONEY
14th District, New York

Post: Business Hours Office Building
Washington, DC 20515-3214
(202) 321-3344

Other: Home:
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE



Congress of the United States

House of Representatives

Washington, DC 20515-3214

April 21, 2006

20-0001-100-0000
1000 Third Avenue
Suite 311
New York, NY 10158
(212) 693-3904

20-0001-100-0000
New York, NY 10158
(212) 693-3904

Website: www.house.gov/maloney

Blair Kalisch
Office Of Congressional Affairs
Federal Bureau Of Investigation
U.S. Department of Justice
935 Pennsylvania Avenue
Washington, DC 20535-0001

Re: Golovanov, Vladimir
A95521158

Dear Ms. Kalisch:

I am writing on behalf of Tamara Gruzburg, who resides in the 14th Congressional District, which I represent. Ms. Gruzburg contacted me regarding the status of the security background checks for the pending I-485 application for adjustment of status filed by her husband, Vladimir Golovanov.

As stated in the enclosed correspondence, Mr. Golovanov submitted his I-485 application on February 12, 2002 and was fingerprinted for the first time on December 30, 2003. Since then, he has been fingerprinted once more, in June 2005, and he was summoned for another interview in March 2006. At this time, he was told that since the security checks have not been completed, USCIS cannot proceed with processing his application. Accordingly, please advise me as to when Mr. Golovanov can expect to receive security clearance.

At this time, I request that Ms. Gruzburg's concerns receive prompt review and every possible consideration, consistent with all applicable rules and regulations. Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact Tina Olechowski in my district office at (212) 860-0606.

Sincerely,

Carolyn B. Maloney
CAROLYN B. MALONEY
Member of Congress

CBM:tlw
cc: Vladimir Golovanov

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

CAROLYN B. MALONEY
Congresswoman, New York

U.S. House of Representatives, Room 5101
1000 Capitol Mall, N.E.
Washington, D.C. 20540-5000

Phone: (202) 225-4131
Fax: (202) 225-4132

Website: www.house.gov/maloney

Office: (202) 225-4131



Congress of the United States

House of Representatives

Washington, DC 20515-7724

May 25, 2006

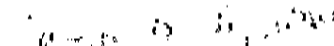
Ms. Tamara Gruzberg
170 E 88th St Apt 6C
New York, NY 10128-2378

Dear Ms. Gruzberg:

I recently wrote to the F.B.I. on your behalf. Enclosed please find a copy of the response I received. I hope you find the information therein useful. Please note I have sent a follow up letter to the F.B.I. I will forward you additional information as it is forthcoming.

If you have any questions, or if I can be of further assistance regarding this or any other matter, please do not hesitate to contact Tina Olechowski in my district office at (212) 869-0606.

Sincerely,



CAROLYN B. MALONEY
Member of Congress

CBM:hcl

Please Reply To:
1651 Third Avenue, Suite 311
New York, NY 10128-3679

Sign up for periodic e-mail updates from Congresswoman Maloney at
<http://www.house.gov/maloney/email.html>

07/10/2007 16:42 FAX 2122842260

CONGRESSIONAL

002/002

Congressional Unit

GIVE THIS YOUR IMMEDIATE ATTENTION !



File No: 95521158

Date : 6/28/2007

Ctrl : **07-7246**

In Re: **GOLOVANOV, VLADIMIR**

Information requested by : **SCHUMER, CHARLES E.**
757 THIRD AVENUE SUITE 17-02 NEW YORK, NY 10017

☐ Attorney ☐ Congressional ☐ Consulate ☐ Other

Inquiry: ☐ Telephone ☐ By Letter ☐ Appeared in person

To: **CON**

Information requested: **FOR REVIEW AND RESPONSE, DUE BY 7/28/2007**

STATUS OF I-485.

Information furnished:

PLEASE ADVISE YOUR CONSTITUENT ALL APPLICANTS SEEKING U.S. IMMIGRATION BENEFITS ARE SUBJECT TO CRIMINAL AND NATIONAL SECURITY CHECKS. THESE INVESTIGATIONS REQUIRE TIME RESOURCES AND PATIENCE. THE USCIS RECOGNIZES THAT THE PROCESS IS SLOWER FOR SOME CUSTOMERS. THE USCIS IS WORKING CLOSELY WITH THE FBI AND OTHER AGENCIES TO SPEED THE BACKGROUND CHECK PROCESS. HOWEVER, THE SERVICE CANNOT MAKE A FINAL DECISION WITHOUT CLEARANCE OF THE REQUIRED SECURITY CHECKS.

Shaila D. Ziffer 7/10/07
(Signature of Officer or Employee)

Approved by: *V. Wright* 7/10/07
(Signature of Supervisor)

Location:

Congressional Unit**GIVE THIS YOUR IMMEDIATE ATTENTION !**

File No: 95521158

Date : 10/11/2006

Ctrl : **07-0278**In Re: **GOLOVANOV, VLADIMIR**Information requested by: **MALONEY, CAROLYN**
1651 THIRD AVENUE SUITE 311 NEW YORK, NY 10128☐ Attorney ☐ Congressman ☐ Diplomat ☐ OtherPriority: ☐ Telephone ☐ By Letter ☐ Accessed in personTo: **CON**Information requested FOR REVIEW AND RESPONSE DUE BY **11/10/2006**

STATUS OF I-485

Information furnished

PLEASE BE ADVISED APPLICANT'S CASE IS CURRENTLY PENDING MANDATED SECURITY BACKGROUND CHECKS. BACKGROUND CHECKS MAY STILL BE CONSIDERED PENDING WHEN EITHER THE FBI OR RELEVANT AGENCY HAS NOT PROVIDED THE FINAL RESPONSE TO THE BACKGROUND CHECK OR WHEN THE FBI OR AGENCY HAS PROVIDED A RESPONSE, BUT THE RESPONSE REQUIRES FURTHER INVESTIGATION OR REVIEW BY THE AGENCY OR USCIS. RESOLVING PENDING CASES IS TIME-CONSUMING AND LABOR-INTENSIVE; SOME CASES LEGITIMATELY TAKE MONTHS OR EVEN SEVERAL YEARS TO RESOLVE.

Signature of Officer or Employee

Approved by

Signature of Supervisor

Station

Congressional Unit
GIVE THIS YOUR IMMEDIATE ATTENTION!



File No: 95521158
Date : 1/24/2006
Ctrl : 06-3242

In Re: **GOLOVANOV, VLADIMIR**

Information requested by : **MALONEY, CAROLYN**
1651 THIRD AVENUE SUITE 311 NEW YORK, NY 10128

☐ Airway ☐ Congressional ☐ Consulate ☐ Other
☐ Inquiries ☐ Telephone ☐ By Letter ☐ Appeared in person

To: **CON**

Information requested: **FOR REVIEW AND RESPONSE DUE BY 2/23/2006**

STATUS YOUR OWNERS.

Information requested:

PLEASE BE ADVISED THAT APPLICANT WAS PREVIOUSLY INTERVIEWED AND WAITING FOR
COMPLETION OF ALL REQUIRED SECURITY AGENCY CHECKS. APPLICANT WILL BE NOTIFIED BY
MAIL OF ALL FURTHER ACTIONS.

[Signature]
Special Agent in Charge

Approved By:

[Signature]
Supervisor

Location:

E

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Domestic Operations Directorate
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

FEB 4 - 2008

HQ 70/23 & 70/28.1

Interoffice Memorandum

TO: Field Leadership

FROM: Michael Aytes 
Associate Director, Domestic Operations

SUBJECT: Revised National Security Adjudication and Reporting Requirements

Background

U.S. Citizenship and Immigration Services (USCIS) conducts background checks on all applicants, petitioners, and beneficiaries seeking immigration benefits. This is done both to enhance national security and to ensure the integrity of the immigration process. USCIS has previously mandated that FBI name checks be completed and resolved before any positive adjudication can proceed on certain form types. This memorandum modifies existing guidance for applications where statutory immigration provisions allow for the detention and removal of an alien who is the subject of actionable information that is received from the FBI or other law enforcement agencies after approval of the application.

USCIS is issuing revised guidance in response to recommendations of the DHS Office of Inspector General (OIG-06-06) regarding the need to align the agency's background and security check policies with those of U.S. Immigration and Customs Enforcement (ICE). The *Background and Security Investigations in Proceedings Before Immigration Judges and the Board of Immigration Appeals* regulations prevent immigration judges and the Board of Immigration Appeals (BIA) from granting benefits to aliens before DHS confirms that all background and security checks have been completed. See 8 C.F.R. § 1003.47(g); 8 C.F.R. § 1003.1(d)(6)(i). In the context of removal proceedings, ICE has determined that FBI fingerprint checks and Interagency Border Inspection Services (IBIS) checks are the required security checks for purposes of the applicable regulations. In the unlikely event that FBI name checks reveal actionable information after the immigration judge grants an alien permanent resident status, DHS may detain and initiate removal proceedings against the permanent resident. See 8 U.S.C. § 1227; see also 8 U.S.C. § 1256 (allowing DHS to rescind an alien's adjustment of status).

Revised National Security Adjudication and Reporting Requirements
Page 2

Revised Guidance

A definitive FBI fingerprint check and the IBIS check must be obtained and resolved before an Application for Adjustment of Status (I-485), Application for Waiver of Ground of Inadmissibility (I-601), Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act (I-687), or Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603) (I-698) is approved. USCIS will continue to initiate FBI name checks when those applications are received. Where the application is otherwise approvable and the FBI name check request has been pending for more than 180 days, the adjudicator shall approve the I-485, I-601, I-687, or I-698 and proceed with card issuance. The FBI has committed to providing FBI name check results within this timeframe.

There is no change in the requirement that FBI fingerprint check, IBIS check and FBI name check results be obtained and resolved prior to the adjudication of an Application for Naturalization (N-400).

Pending further guidance regarding post-audit reporting and tracking requirements and modifications to associated quality assurance procedures, applications approved pursuant to this memorandum shall be held at the adjudicating office. If derogatory or adverse information is received from the FBI after the application is approved, USCIS will determine if rescission or removal proceedings are appropriate and warranted.

Subject to the reporting requirements set forth in the February 16, 2007, memorandum titled "FBI Name Checks Policy and Process Clarification for Domestic Operations," an application or petition may be denied, dismissed, administratively closed, withdrawn, or referred to the Immigration Court at any time.

Questions regarding this memorandum should be directed through appropriate supervisory and operational channels. Local offices should work through their chain of command.

Distribution List:
Regional Directors
Service Center Directors
District Directors (except foreign)
Field Officer Directors (except foreign)
National Benefits Center Director

F



**U.S. Citizenship
and Immigration
Services**

News Release

April 2, 2008

USCIS AND FBI RELEASE JOINT PLAN TO ELIMINATE BACKLOG OF FBI NAME CHECKS

Partnership Establishes Series of Milestones To Complete Checks

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) and the Federal Bureau of Investigation (FBI) today announced a joint plan to eliminate the backlog of name checks pending with the FBI.

USCIS and the FBI established a series of milestones prioritizing work based on the age of the pending name check. The FBI has already eliminated all name check cases pending more than four years.

“This plan of action is the product of a strong partnership between USCIS and the FBI to eliminate the backlogs and to strengthen national security,” said USCIS Director Emilio Gonzalez.

By increasing staff, expanding resources, and applying new business processes, the goal is to complete 98 percent of all name checks within 30 days. USCIS and the FBI intend to resolve the remaining two percent, which represent the most difficult name checks and require additional time to complete, within 90 days or less. The goal is to achieve and sustain these processing times by June 2009.

The joint plan will focus on resolving the oldest pending FBI name checks first. USCIS has also requested that the FBI prioritize resolution of approximately 29,800 pending name checks from naturalization applicants submitted to the FBI before May 2006 where the naturalization applicant was already interviewed.

The target milestones for processing name checks are:

Completion Goal	Category
May 2008	Process all name checks pending more than three years
July 2008	Process all name checks pending more than two years
Nov. 2008	Process all name checks pending more than one year
Feb. 2009	Process all name checks pending more than 180 days
June 2009	Process 98 percent of all name checks within 30 days and process the remaining two percent within 90 days.

– USCIS –